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Neighbourhood Activity Guidelines – Road Access Permits and Temporary Road Closures

transport.nsw.gov.au



Road Event Permit

Clause 79 Roads Regulation 2018

Definition of ‘neighbourhood activity’

A ‘neighbourhood activity’ means a non-commercial event organised by local resident, including a local gathering or social activity, of a kind specified in the Neighbourhood Activity Guidelines approved by TfNSW and published in the Gazette on 13 December 2022.

- involves less than 100 participants (crowd capacity); and
- is conducted on an unclassified road; and
- where the applicant has a residential address on the road for which the application is sought.

And is not an activity in any of the following circumstances:

- if the proposed closure point of the road is on or within 50 metres of a directly adjacent road on which a regular bus route or light rail service operates; or
- if any train, Metro, or other rail station access is restricted by the temporary road closure; or
- if the proposed closure point is within 100 metres of traffic lights; or
- if the temporary road closure is for a protest or march or “race” (in which case the event request must be referred to NSW Police Force – see relevant special event guidelines published by Transport for NSW); or
- if the temporary road closure requires a Special Event Clearway under the Road Rules 2014; or
- if the temporary road closure purports to remove the status of the road as a ‘road related area’ within the meaning of the road transport legislation. (Note: the road transport and other relevant legislation continues to have effect on the subject road despite it being temporarily closed).

Important Notes

- A permit issued with respect to an unclassified road does not require the consent of Transport for NSW - s.144(2) Roads Act 1993).
- A proposed road closure which does not meet the above definition (e.g. impacts upon transport routes etc.) it is not a ‘neighbourhood activity’ and any such road closure and regulation of traffic may only be carried out by Transport for NSW, or by a Council using the Delegation to Councils, and requiring a public consultation process and review by the Local Traffic Committee.

- The roads authority remains responsible for the risk associated with these events. Responsibility for risk, and any process to defer such responsibility to an applicant should be made clear in application processes and policies developed by the roads authority, and should clearly state the potential consequences should a risk be realised and should also state the expectations on each applicant or proponent.

Practice and Procedure

The following is the practice and procedure a roads authority should follow in assessing a request for a neighbourhood activity road event permit:

- Signs and barriers must be erected, maintained and removed under supervision of the roads authority or an approved traffic controller.
- No interference with, or installation, display or alteration of a prescribed traffic control device (an enforceable sign under the Road Rules 2014, such as a Stop sign or No Entry sign, is permitted).
- The roads authority should consider the overall impact of the proposed closure on the road network (for example roads authority should consider if an application on a public holiday is appropriate. Such consideration may take into account the location, and the ability to minimise impact).
- The roads authority should notify the NSW Police Force (at the nearest Local Police Station to the proposed temporary road closure) of an application and should seek advice from Police about the application prior to issuing a permit. The roads authority should take account of any advice received from the NSW Police Force when assessing the application. This practice and procedure is in addition to, and does not affect any current notification process regarding approval of events through the NSW Police Force and other emergency services.
- Each roads authority should develop an application process and policies for the assessment of applications for temporary road closures for a ‘neighbourhood activity’. In development of these policies roads authorities must consult with emergency services including NSW Police Force.
- A roads authority should inform applicants of:
 - o the application process;
 - o risk assessment requirements
 - o Third Party Public Liability Insurance requirements;

- o the type of barriers or traffic control measures that will be used by the roads authority to close the road;
- o any traffic controller requirements that are required;
- o any applicable fees and costs.
- It is strongly recommended that a road event permit for a temporary road closure should be issued for no longer than four hours (including set up and bump out) and only between sunrise and sunset, to prevent unplanned crowds and growth of the event beyond the original intent.
- Time limiting the event in this way should also be considered to avoid road safety issues and unreasonable impact on business and access. The length of time of the temporary road closure should be the subject of consultation with emergency services including NSW Police Force.
- Once approved by the roads authority the temporary road closure must be publicly announced on the relevant roads authority website and notices of the proposed road closure must be erected on site -both actions at least seven days before the event. (cl.5 Roads Regulation 2018).
- The roads authority should monitor any processes developed for assessing 'neighbourhood activity' event permits and should provide Transport for NSW and the NSW Police Force with an annual update through Local Traffic Committee, to identify any issues for discussion.

A roads authority should consider imposing the following requirements in an application for a neighbourhood activity road event permit:

1. The applicant to carry out letterbox drops to the affected tenants, occupants and building managements of the street in which the changed traffic conditions are proposed (eg. closure and any other roads).
2. To carry out the letterbox drops at least one week prior to the commencement of the changed traffic conditions (eg. closure), and to resolve, to the satisfaction of the roads authority, all representations made by the affected motorists, pedestrians, cyclists, tenants, occupants and building managements.
3. To recognise that the roads authority is required to close the road, not the applicant it / them selves, unless the applicant engaged approved traffic controllers. The closure must be in accordance with Australian Standard 1742.3 unless otherwise directed by NSW Police Force.
4. That the road may only be closed during the hours approved in the road event permit, and the applicant must ensure that participants do not obstruct the passage of traffic along the road outside those hours.
5. That the carriageway or footway of the road must not be occupied by representatives of the applicant until the road closure has been implemented by the roads authority or traffic controllers.
6. That the applicant must always be able to accommodate a four-metre-wide emergency lane along the proposed road closure if needed.
7. That the applicant must not impede access to any adjoining premises to the proposed street closure to emergency services, and all essential services and infrastructure (fire hydrants etc.) shall be kept free of any obstructions.
8. That the applicant is to advise emergency services (NSW Police Force, Fire and Rescue NSW and NSW Ambulance) via a method approved by the roads authority of the event.
9. To recognise that the roads authority or an authorised traffic controller must install, maintain and remove all barriers and signs associated with the road closure at the times nominated to reopen the street to traffic.
10. To satisfy the roads authority's requirements for indemnity, claims and any third-party public liability insurance required for the neighbourhood event.
11. To undertake to reimburse the roads authority of repair of any damage caused to the public way, or as a result of the neighbourhood event, and to accept that the roads authority may seek to recover in damages any incurred costs.
12. To comply with any reasonable directive of NSW Police Force, Transport for NSW and the roads authority (eg. Council Rangers).
13. If traffic regulation is being carried out by approved traffic controllers, to provide a contact number of the supervisor on-site responsible for the traffic management of the proposed event to the roads authority.
14. To comply with any policies of the roads authority such as relating to Local Councils Code of Practice for Construction Hours / Noise.
15. To consent to the roads authority advertising on the roads authority website the planned closure (minimum seven days prior).
16. To meet all or any costs associated with changed traffic conditions and to pay fees in accordance with the roads authority's current Fees and Charges.
17. To ensure the road event permit has been obtained from the roads authority in writing.
18. To ensure a suitable Work Health & Safety Plan is in place for all personnel working at the site (note authorised traffic controllers will have such a plan).
19. To ensure any proposed variation of the approved date and conditions of approval is submitted to the roads authority and confirmation received in writing (by way of amended road event permit or otherwise).
20. To not block or restrict access to a driveway, footpath or any premises unless a written approval from the owner/ occupants is first obtained.
21. To provide a Risk Assessment Report as part of the application, and to ensure risk mitigation measures are implemented and managed.
22. In the event of a traffic incident or emergency, to not hinder the NSW Police Force or other emergency services, who will take control of all traffic and pedestrian arrangements.
23. To advise car share operators of the approved closure seven days prior to the closure if a shared vehicle is base in the street.
24. To undertake to bear all costs associated with the necessary traffic control, and any necessary transport management infrastructure.
25. To comply with all other relevant regulatory requirements, such as regulations prohibiting open flames, the consumption of alcohol or collection of litter in outdoor areas.

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